



*The Commonwealth of Massachusetts*  
*Department of State Police*  
**APPLICATION FOR A LICENSE AS  
WATCH, GUARD OR PATROL AGENCY**

Application must be typed or Neatly Printed. All business names submitted are subject to the approval of the Department of State Police. Notarized Application must be accompanied by check or money order made payable to the Commonwealth of MA in the amount of \$550.00, Original \$5000.00 Surety Bond; Certificate of Business or Corporate structure ( If business is to be conducted by a corporation, the personal history of the officer authorized to make application will suffice). Release of Information must be signed and notarized. Business/mailling address must be maintained in Massachusetts.

In accordance with the provisions of C. 147 of the General Laws, Sections 22 to 30, as amended by C. 684, acts of 1972

I, being a citizen of the United States, hereby make an application for a license to engage in and solicit business as a private detective or as a watch, guard or patrol agency.

Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Residence: \_\_\_\_\_ ( \_\_\_\_\_ )  
(Residence and Number) (City/Town) (State) (Zip Code) (Telephone Number)

**\*All business names submitted are subject to the approval of the Department of State Police.**

Business Name: \_\_\_\_\_  
(Person, Firm, Corporation, or Agency)

Business Address: \_\_\_\_\_  
(Street and Number) (City or Town) (State) (Zip Code) (Telephone Number)

Have you ever been employed as a resident manager for any other security agency? \_\_\_\_\_

Name of Agency: \_\_\_\_\_

Have you held a Security license in this Commonwealth? \_\_\_\_\_ Outside the Commonwealth? \_\_\_\_\_

Name of Agency: \_\_\_\_\_

Have you ever resided in another state? \_\_\_\_\_ If yes, list states: \_\_\_\_\_

Have you ever had a license revoked or denied? \_\_\_\_\_

Have you ever been convicted of a crime? **YES** **NO**

**IF YES, explain in space below:**

DATE	CHARGES AND COURT	DISPOSITION

Signature of Applicant \_\_\_\_\_

\_\_\_\_\_  
Title (Proprietor, Resident Manager, or Superintendent)

I certify under the penalties of perjury that I have complied with all the laws of the Commonwealth relating to taxes (C. 62c, 49a)

BY \_\_\_\_\_

Signature of Individual Owner or Corporate Name

\_\_\_\_\_  
Corporate Officer (If applicable)

Social Security Number or Federal Identification Number: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS \_\_\_\_\_ SS

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, personally appeared the above named applicant and made oath that the statements and answers contained in this application, whether in writing or print, are true.

BEFORE ME, \_\_\_\_\_ Commission Expires: \_\_\_\_\_

Notary Public

This applicant has successfully passed a background investigation: **yes** **no**

Investigator: \_\_\_\_\_ Date: \_\_\_\_\_

## Certificates

### Certification required by each of three reputable citizens of the Commonwealth:

- (a) Residing in the community in which the applicant lives; or
- (b) Residing in the community in which the applicant has his place of business; or
- (c) Residing in the community in which the applicant proposes to conduct his business
- (d) Personally acquainted with the applicant for three years

(1) I, \_\_\_\_\_, being more than twenty-one years of age, a citizen of the Commonwealth and a resident of \_\_\_\_\_ for  
(city or town)  
at least three years, am personally acquainted with the aforesaid and I do state on honor as follows:

- (1) I have known the applicant well since, \_\_\_\_\_
- (2) I have read the application of said applicant and believe each of the statements made therein to be true.
- (3) Said applicant is to my knowledge of good character and is of good repute in the community where (s)he lives, and is not related by blood or marriage.

Signature \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

(2) I, \_\_\_\_\_, being more than twenty-one years of age, a citizen of the Commonwealth and a resident of \_\_\_\_\_ for  
(city or town)  
at least three years, am personally acquainted with the aforesaid and I do state on honor as follows:

- (1) I have known the applicant well since, \_\_\_\_\_
- (2) I have read the application of said applicant and believe each of the statements made therein to be true.
- (3) Said applicant is to my knowledge of good character and is of good repute in the community where (s)he lives, and is not related by blood or marriage.

Signature \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

(3) I, \_\_\_\_\_, being more than twenty-one years of age, a citizen of the Commonwealth and a resident of \_\_\_\_\_ for  
(city or town)  
at least three years, am personally acquainted with the aforesaid and I do state on honor as follows:

- (1) I have known the applicant well since, \_\_\_\_\_
- (2) I have read the application of said applicant and believe each of the statements made therein to be true.
- (3) Said applicant is to my knowledge of good character and is of good repute in the community where (s)he lives, and is not related by blood or marriage.

Signature \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

Occupation \_\_\_\_\_

# Know all men by these presents,

That we,  
in the County of  
and the Commonwealth of Massachusetts, as principal, and the  
Company, a corporation duly organized  
and existing under the laws of the State of  
having its principal office at in the State of  
and being duly authorized to transact  
the business of a surety company in the Commonwealth of Massachusetts, as surety, are holden  
and stand firmly bound and obligated unto the Commonwealth of Massachusetts in the sum of  
Five thousand (5,000) Dollars, to the payment of which we jointly and severally bind  
ourselves, our heirs, executors and administrators, successors and assigns, by these presents.

**The condition of this obligation is such,** that whereas the said  
has been duly licensed by the Colonel of the  
Department of State Police to engage in and solicit business as a private detective or watch,  
guard or patrol agency, under the provisions of section 25, chapter 147, of the General Laws  
and amendments thereto.

**Now therefore,** if the said  
his or its agents, operatives and assistants shall honestly conduct the business and properly  
discharge all the services which he or it may perform by virtue of such license, then this  
obligation shall be null and void, otherwise it shall be and remain in full force and effect. The  
said bond may be enforced in the name of the Commonwealth by the Attorney-General or by  
any person in his own name who may suffer injury by the willful, malicious or wrongful act of  
the licensee, his or its agents, operatives and assistants.

**In witness whereof,** the said  
as principal, has hereunto set seal, and the said  
Company  
has affixed its corporate seal and caused these presents to be signed in its behalf by its  
duly authorized thereto, this  
day of 20.....

.....  
Principal.

In the presence of  
.....  
.....  
Company.

By  
.....  
.....  
.....20.....

The above bond examined and approved.

.....  
Colonel Department of State Police

## CHAPTER 147 - SECTIONS 22 TO 30 INCLUSIVE

### SECTION 22. DEFINITIONS

In this section and in sections twenty-three to thirty, inclusive, the following words shall have the following meanings unless a different meaning is clearly required by the context:-

"Licensee", Any person licensed under section twenty-five.

"Private detective business", The business of private detective or private investigator, and the business of watch, guard or patrol agency.

"Private Detective" or "Private Investigator", a person engaged in business as a private detective or private investigator, including any person who, for hire, fee, reward or other consideration, (1) uses a lie detector for the purpose of obtaining information with reference to the conduct, integrity, efficiency, loyalty or activities of any person or (2) engages in the business of making investigations for the purpose of obtaining information with reference to any of the following matters, whether or not other functions or services are also performed for hire fee, reward or other consideration or other persons are employed to assist in making such investigations:-

- (a) Crime or other acts committed or threatened against the laws or government of the United States or any state of the United States;
- (b) The identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation or character of any person;
- (c) Libels, fires, losses, accidents, or damage to, or loss or theft of, real or personal property;
- (d) Evidence to be used before any investigating committee, board of award, or board of arbitration, or in the trial of civil or criminal cases.

"Watch, guard or patrol agency", the business of watch, guard or patrol agency, including the furnishing, for hire or reward, of watchmen, guards, private patrolmen or other persons to protect persons or property, to prevent the theft or the unlawful taking of goods, wares or merchandise, or the misappropriation or concealment thereof or of money, bonds, stocks, notes or other valuable documents, papers or articles of value, or to procure the return thereof, whether or not other functions or services are also performed for hire or reward, or other persons are employed to assist therein.

### SECTION 23. NECESSITY OF LICENSE; EXCEPTIONS.

No person shall engage in, advertise or hold himself out as being engaged in, nor solicit private detective business or the business of watch, guard or patrol agency, notwithstanding the name or title used in describing such business, unless licensed for such purpose as provided in section twenty-five.

The provisions of this section shall not apply to an agent, employee or assistant of a licensee, to any corporation, if its resident manager, superintendent or official representative is a licensee, nor to the following:-

1. A person employed by or on behalf of the Commonwealth, including the general court or either of its branches, any committee of the general court or either of its branches, any special commission required to report to the general court, any political subdivision of the Commonwealth or any public instrumentality, while such person is engaged in the discharge of his official duties.
2. A Charitable, philanthropic or law enforcement agency, duly incorporated under the laws of the Commonwealth, or any agent thereof while he is engaged in the discharge of his duties as such agent; provided, that such agency is promoted and maintained for the public good and not for private profit.
3. A person employed as an investigator, detective, watchman, guard, patrolman, or employed or assigned to perform any of the activities described in the definition "watch, guard or patrol agency" or whose duties include an inquiry into the fitness of an applicant for employment, in connection with the regular and customary business of his employer and whose services are not let out to another for profit or gain, but only while so acting for his employer.
4. A credit reporting bureau or agency whose business is principally the furnishing of information as to business and financial standing and credit responsibility.
5. Investigations as to the personal habits and financial responsibility of applicants for insurance or indemnity bonds, provided, such investigations do not include other activities described in section twenty-two.
6. An attorney at law in the practice of his profession.
7. Investigations with respect to, or the compilation or dissemination of, any data or statistics pertaining to any business or industry, by any trade or business association, board or organization, incorporated or unincorporated, not operated for profit, representing persons engaged in such business or industry, or by any agent of any such trade or business association while he is engaged in the discharge of his duties as such agent.
8. An insurance adjuster or investigator while acting in such capacity as an employee.
9. Any trade or business association, board or organization, incorporated or unincorporated, which furnishes as a service to members thereof, information pertaining to the business and financial standing, credit responsibility or reputation of persons with whom such members consider doing business; provided, that an investigation conducted by such association, board or organization shall be no more extensive than is reasonably required to determine the business and financial standing, credit responsibility or reputation of such person.
10. A person engaged in earning his livelihood by genealogical work and the compilation of family history while so engaged.
11. A person hired by the owner of a residential dwelling for the limited purpose of inspecting the exterior of an unoccupied residential dwelling for storm damage.
12. Individuals who are independently and currently licensed by the commonwealth in a profession or field of expertise, whereby they are exclusively utilized and confined in conducting an investigation to that profession or field of expertise, inasmuch as the context and extent of their inquiry and investigation does not exceed the particular area of their profession or field of expertise in which they are independently licensed within the commonwealth.

Whoever violates any provision of this section shall be punished by a fine of not less than two hundred nor more than one thousand dollars or by imprisonment for not more than one year, or by both such fine and imprisonment.

#### **SECTION 24. APPLICATION FOR LICENSE.**

An application for a license to engage in the private detective business or a license to engage in the business of watch, guard or patrol agency shall be filed with the colonel of the state police on forms furnished by him, and statements of fact therein shall be under oath of the applicant. Such application shall include a certification by each of three reputable citizens of the commonwealth residing in the community in which the applicant resides or has a place of business, or in which the applicant proposes to conduct his business, that he has personally known the applicant for at least three years, that he has read the application and believes each of the statements made therein to be true, that he is not related to the applicant by blood or marriage, and that the applicant is honest and of good moral character. The applicant, or, if the applicant is a corporation, its resident manager, superintendent or official representative, shall be of good moral character, and, unless such application is for a license to engage in the business of watch, guard or patrol agency, shall have been regularly employed for not less than three years as a detective doing investigating work, a former member of an investigative service of the United States, a former police officer, of a rank or grade higher than that of patrolman, of the commonwealth, any political subdivision thereof or an official police department of another state, or a police officer in good standing formerly employed for not less than ten years with the commonwealth, or any political subdivision thereof or with an official police department of another state.

#### **SECTION 25. TO WHOM LICENSE MAY BE GRANTED; TERM AND CONTENT; REVOCATION; RENEWAL.**

The colonel of the state police may grant to an applicant complying with the provisions of section twenty-four a license to engage in the private detective business or a license to engage in the business of watch, guard or patrol agency; provided, however, that no such license shall be granted to any person who has been convicted in any state of the United States of a felony. No person convicted of a violation of section ninety-nine or ninety-nine A of chapter two hundred and seventy-two of the general laws shall be granted a license and any license previously granted to such person shall be revoked.

Such license shall be for one year, shall state the name under which the licensed business is to be conducted and the address of its principal office, and shall be posted by the licensee in a conspicuous place in such office. Such name shall be subject to the approval of the colonel of the state police; provided that such name shall not contain the words "police", "fire", nor any name which denotes or implies any association with agencies of the governments of the United States, the commonwealth or any of its political subdivisions. Failure to comply with the provisions of this paragraph shall constitute cause for revocation of such license.

The colonel of the state police may annually renew and may at any time for cause, after notice and a hearing, revoke, any such license. An application for a renewal shall be on a form furnished by the colonel.

#### **SECTION 26. FEES; BOND.**

The fee for an original license and for a renewal of any license shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven for the filing thereof. If a person fails to apply for a renewal of a license within six months after the expiration thereof he shall pay for a renewal the fee herein provided for an original license.

Each licensee shall give to the commissioner a bond in the sum of five thousand dollars, executed by the applicant as principal and by a surety company authorized to do business as such in the commonwealth as surety. Such bond shall be in such form as the commissioner may prescribe, conditioned upon the honest conduct of the business of the licensee and the right of any person including the officer of any aggrieved labor union or association, whether or not incorporated, injured by the wilful, malicious or wrongful act of the licensee to bring in his own name an action on the bond.

#### **SECTION 27. ENTERING PLACE OF EMPLOYMENT FOR ORGANIZATION OF EMPLOYEES, ETC., PROHIBITED; PENALTIES.**

No licensee shall enter, or cause any person to enter, any place of employment for any purpose having to do with the organizing or organization of employees in said establishment, or any purpose having to do with hours of labor, wages or salaries paid, or conditions of employment in such establishment or its branches or subsidiaries or related units, or to disseminate propaganda of any sort among employees in such establishment, or to be concerned with labor conditions of employees as a group, nor shall any licensee or agent or employee of a licensee pose as an employee in any such establishment for any of the aforementioned purposes.

Violation of any provision of this section shall be cause for the suspension of such license for not less than one year, after a public hearing by the colonel of the state police, on written complaint of any aggrieved person, or the officer of any aggrieved labor union or association, whether incorporated or otherwise.

#### **SECTION 28. EMPLOYMENT OF ASSISTANTS; PENALTY FOR MAKING FALSE STATEMENTS OR REPORTS OR DIVULGING INFORMATION.**

A licensee may employ to assist him in his business as many persons as he may deem necessary but shall not knowingly employ in connection with his business in any capacity any person who has been convicted of a felony or any former licensee whose license has been revoked.

If a licensee falsely states or represents that a person is or was in his employ, such false statement or representation shall be cause for revocation of his license. Whoever falsely states or represents that he has been a licensee or employed by a licensee shall be punished by a fine of not less than fifty nor more than five hundred dollars.

No person shall be employed by any licensee until he shall have executed and furnished to such licensee a statement under oath setting forth his full name, date of birth and residence; his parents' names and places of birth; the business or occupation in which he has been engaged for the three years immediately preceding the date of filing his statement; and that he has not been convicted of a felony or of any offense involving moral turpitude. Such statements shall be kept on file by the licensee and furnished to the colonel of the state police on demand.

Any person who is or has been an employee of a licensee and any licensee who divulges to anyone other than to his employer or as his employer shall direct, except before an authorized tribunal, any information acquired by him during such employment in respect to any of the work to which he has been assigned by such employer, and any such employee who wilfully makes a false report to his employer in respect to any such work, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

No minor shall be employed as an investigator or guard by a licensee if the use of firearms is required in the performance of his duties.

## **SECTION 29. IDENTIFICATION OF EMPLOYEES AND VEHICLES; WEAPONS AND EQUIPMENT; PENALTY.**

No licensee or employee or agent of a licensee shall use a badge of any kind for identification purposes except a guard or watchman in uniform who shall wear any such badge on the left breast of his uniform. Such badge shall not contain the word "POLICE" or any part of the seal of the Commonwealth of Massachusetts or of any political subdivision thereof. A licensee or his employee or agent shall carry only such weapons and equipment as are authorized by the colonel of the state police, provided, however, that if said licensee, employee or agent, is authorized to carry a firearm, as defined in section one hundred and twenty-one of chapter one hundred and forty, said firearm shall be loaded while in the performance of his duties. A licensee or his employee or agent, while in the performance of his duties shall not carry an imitation firearm as defined in said section one hundred and twenty-one of said chapter one hundred and forty. A licensee or his employee or agent may use as identification a card, approved as to form by the colonel of the state police, which shall bear the signature of the licensee and, if such card is used as identification by an employee or agent, the signature of such employee or agent.

No motor vehicle used in the business of a licensee shall have displayed therein or thereon the words "POLICE" or "EMERGENCY", and no such motor vehicle shall be deemed to be a special purpose motor vehicle assigned to emergency disaster services under the provisions of section seven I of chapter ninety.

Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars.

## **SECTION 29A. RECORDS OF WATCH, GUARD OR PATROL AGENCIES.**

Any watch, guard or patrol agency shall maintain daily records which shall include the names of guards and other employees carrying guns in the performance of their duties, the purpose of their carrying such guns and whether such guns are the personal property of the guards and other employees or issued by such agency.

## **SECTION 30. PROHIBITED ACTIVITIES IN CONNECTION WITH STRIKES, LABOR DISPUTES, ETC.**

No licensee nor any of his employees shall knowingly:-

1. Incite, encourage or aid any person who has become a party to any strike to commit any unlawful act against any person or property.
2. Incite, stir up, create or aid in the inciting of discontent, or dissatisfaction among the employees of any person with the intention of having them strike.
3. Interfere with or prevent lawful and peaceful picketing during strikes.
4. Interfere with, restrain or coerce employees in the exercise of their right to form, join or assist any labor organization of their own choosing.
5. Interfere with or hinder lawful or peaceful collective bargaining between employers and employees.
6. Pay, offer or give any money, gratuity, consideration or other thing of value, directly or indirectly, to any person for any verbal or written report of the lawful activities of employees in the exercise of their right to organize, form or assist any labor organization and to bargain collectively through representatives of their own choosing.
7. Advertise for, recruit, furnish or replace, or offer to furnish or replace for hire or reward, within or without the commonwealth, any skilled or unskilled help or labor, armed guards, other than armed guards theretofore regularly employed for the protection of payrolls, property or premises, for service upon property which is being operated in anticipation of or during the course or existence of a strike.
8. Furnish armed guards upon the highways for persons involved in labor disputes.
9. Furnish or offer to furnish to employers or their agents, any arms, munitions, tear gas implements or any other weapons.
10. Send letters or literature to employers offering to eliminate labor unions.
11. Advise any person of the membership of an individual in a labor organization for the purpose of preventing such individual from obtaining or retaining employment.

Whoever violates any provision of this section shall be punished by a fine of not less than two hundred nor more than one thousand dollars or by imprisonment for not less than six months nor more than one year, or both.